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Federal Communications Commission
Office of the Secretary

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The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th St., SW
Washington, D.C. 20554

Re: Public Safety Communications

President

G. Wayne Livesay
Chief of Police
Howard County, MD

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Chief of Police
Mt Rainier, MD

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Chief of Police
Hyattsville, MD

Immediate Past President

James R. Craze
Chief of Police
Greenbelt, MD

Executive Director

Morris A. Lewis
Retired Chief of Police

Counsel

Mark G. Spurrier, Esq.

Dear Chairman Powell:

We understand that you are considering the Nextel "Consensus Plan" and the CTIA compromise plan to address public safety communications issues. After reviewing both plans, it appears that Nextel's plan is not in the best interest of local police departments in that it imposes an unfunded mandate on local police with a reimbursement process that is not well defined nor guaranteed, and, it caps funding at a level far below any reasonable estimate for relocation and realignment.

The CTIA compromise plan corrects each of these deficiencies and is preferable to the Nextel plan. We urge the Commission to adopt the CTIA plan because doing so is clearly in best interests of public safety. Some of the key advantages of the CTIA plan include: 1) \$3 B for incumbent relocation, 2) Independent trustee manages the fund, and 3) Independent Trustee decides when Nextel pays and when disbursements are made to public safety.

The CTIA plan has funding levels, which are more in line with the needs of public safety, and has enforceable milestones for Nextel to meet prior to obtaining grants of spectrum. We understand that the plan grants Nextel the 2.1 GHz spectrum they requested in the original "Consensus Plan" and does not implicate bands, which are likely to cause the wireless industry to litigate. It is important that public safety have certainty in any plan the FCC adopts.

For all of these reasons we respectfully ask that you adopt the CTIA plan.

Sincerely,

B. Wayne Livesay
Chief G. Wayne Livesay
President

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cc: Commissioner Kevin Martin
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2

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